UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ERIC JOHNSON, Plaintiff, - against - FLEXCO LLC and ASTON TAYLOR, JR. P/K/A FUNKMASTER FLEX, Defendants.	Civil Action No. 15-cv-7530 (RA) **REQUEST FOR CLERK'S CERTIFICATE OF DEFAULT FOR DEFENDANT ASTON TAYLOR JR. P/K/A FUNKMASTER FLEX**

TO: RUBY J. KRAJICK, CLERK OF COURT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Pursuant to Fed. R. Civ. P. 55(a) and Rule 55.1 of the Local Rules of the United States for the Southern District of New York, Plaintiff Eric Johnson ("Plaintiff") respectfully requests issuance of a Clerk's Certificate of Default for Defendant Aston Taylor Jr. p/k/a Funkmaster Flex ("Taylor") in the above-captioned action on the ground that Taylor has failed to plead or otherwise defend against the Amended Complaint for violations of the Copyright Act of 1976 as amended, 17 U.S.C. § 101 *et seq.*

This action was commenced with the filing of a civil Complaint with the Court on September 23, 2015. An Amended Complaint (including its Exhibits) and request for issuance of a Summons as to the amended complaint for Taylor were filed with the Court on January 8, 2016. The Court issued an electronic Summons as to Taylor on January 11, 2016.

On February 2, 2016, Plaintiff's agent for service of process completed service of copies of the Amended Complaint (including its Exhibits), Summons, and other caseinitiating papers on Taylor, after four attempts to complete service via personal service at Taylor's last known residence of 4 Faith Lane, Ardsley, New York 10502, by first, on January 30, 2016, personally affixing such documents in a conspicuous place on the door to the entrance of Taylor's last known residence of 4 Faith Lane, Ardsley, New York 10502, and then, on February 2, 2016, enclosing true copies of such documents in a securely sealed and postpaid wrapper with the words "PERSONAL and CONFIDENTIAL" written on the same, and not indicating on the outside that it is from an attorney or concerns a legal matter, and depositing the same into an official depository maintained by the Government of the United States, City and State of New York, addressed as follows: Aston Taylor Jr., p/k/a Funkmaster Flex, 4 Faith Lane, Ardsley, New York 10502. (The due diligence of Plaintiff's agent for service of process to complete service via personal service at Taylor's last known residence is described in detail in the Proof of Service for service upon Taylor [*see* Docket Entry No. 21]). The Proof of Service for such service was filed with the Court on February 4, 2016. Consequently, an answer or other response to the Amended Complaint was due from Taylor by February 23, 2016.

More than 21 days have elapsed since service of the Summons, Amended Complaint, and accompanying papers upon Taylor. Taylor has failed to plead, appear, or otherwise defend the action.

Taylor is not an infant, in the military, or an incompetent person.

The above-stated facts are supported by the accompanying Declaration of Alexander R. Malbin, dated February 24, 2016. For the Court's convenience, a proposed Clerk's Certificate of Default also accompanies this request.

Dated: New York, New York
February 24, 2016

Respectfully submitted,

_/s/ Alexander R. Malbin________________

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Attorney for Plaintiff
ERIC JOHNSON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of February, 2016 the foregoing Request for Clerk's Certificate of Default, Clerk's Certificate of Default, and Declaration of Alexander R. Malbin in Support of Request for Clerk's Certificate of Default, are being served upon all counsel of record and/or parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to electronically receive Notices of Electronic Filing.

_/s/ Alexander R. Malbin_______________

Alexander R. Malbin, Esq. (AM 9385)

SERVICE LIST

Eric Johnson v. FlexCo LLC and Aston Taylor Jr. p/k/a Funkmaster Flex
United States District Court for the Southern District of New York
15-cv-7530 (RA)

VIA FEDERAL-EXPRESS OVERNIGHT DELIVERY:

Mr. Aston Taylor, Jr.
p/k/a Funkmaster Flex
4 Faith Lane
Ardsley, NY 10502

FlexCo, LLC
4 Faith Lane
Ardsley, NY 10502